IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 4750 of 2005

Between:

G.Satyanarayana, S/o.G.Pola Reddy,
R/o.Gollapalli village, Gummagatta,
Rayadurgam Taluk, Anantapur

..... PETITIONER

AND

1 District Educational officer, Anantapur.
2 Director of School Education, Hyderabad, rep.by its Commissioner.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or order or direction more particularly one in the nature of writ of Mandamus direct the respondents to furnish the OMR sheet of the petitioner and if necessary for recounting of the marks and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MRS.SHANTHI NEELAM

Counsel for the Respondent No.1: GP FOR EDUCATION

Counsel for the Respondent No.2: GP FOR SCHOOL EDUCATION

The Court at the stage of admission made the following ORDER:

This writ petition is filed by the petitioner to issue of Writ of *Mandamus* directing the respondents to furnish his OMR Sheet and if necessary for recounting the marks as he was not furnished OMR Sheet as per the Rules.

2. According to the petitioner, he appeared for the D.S.C Examination for selection as teacher for 2003 at Anantapur. He was declared unsuccessful in the examination. As he was confident that he did well in the examination, he made an application for obtaining OMR Sheet by taking a Demand Draft for a sum of Rs.500/- in favour of the Commissioner, Director of School Education, Hyderabad. But, however, as the respondents did not issue OMR Sheet, he has come up with the present writ petition.

3. As per the directions of this Court, the respondent authorities produced a scan report of the OMR Sheet, which shows that the petitioner got only 39 marks as against the maximum marks of 200, which shows that the petitioner was not successful.

4. At the time of hearing, the learned counsel for the petitioner contended that the Scan report of the OMR Sheet produced by the respondent authorities did not belong to the petitioner. Therefore, it is necessary to direct the respondent authorities to produce the original OMR Sheet of the petitioner.

5. The learned Government Pleader contended that as per the scheme of the examinations for D.S.C. 2003, the candidates can collect OMR Sheets by making appropriate application along with Demand Draft of Rs.500/- and the said application has to be submitted before the District Educational Officer between 24^{th}–27^{th} of June, 2004. But, however, the petitioner sent his application only in the month of November, 2004 that too to the Commissioner, Director of School Education. Therefore, the petitioner is not entitled to get his OMR Sheet. He also stated that the original OMRs may not be available by now, as subsequent DSC examinations were also conducted.

6. In any case, as there was a provision for the petitioner to make an application, which the petitioner failed to do, he cannot claim that he was denied issuing OMR Sheet. Further, as the Scan Copy produced before the Court, clearly shows that the petitioner had secured only 39 marks as against the maximum marks of 200. Therefore, there is absolutely no merit in the claim of the petitioner.

7. The writ petition is devoid of merit and the same is accordingly dismissed at the admission stage.

S.Ananda Reddy, J

Date: 22.06.2005

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To

1 The District Educational officer, Anantapur.
2 The Commissioner, Director of School Education, Hyderabad.

3 Two CCs to G.P for Education, High Court of A.P., Buildings, Hyderabad (OUT)

4 Two CCs to G.P for School Education, High Court of A.P. Buildings, Hyderabad (OUT)

5 Two CD Copies